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**April 27, 2006**

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**Attn.: Group Art Unit 1633  
United States Patent and Trademark  
Office**

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**From: Linda R. Judge (Reg. No. 42,702)  
415.836.2500**

**Client-Matter Number:**

**Re: U.S. Patent Application No. 10/602,853  
Filing Date: June 24, 2003  
First Named Inventor: Yung-Nien CHANG  
Art Unit: 1633  
Examiner: Scott Long  
Attorney Docket No.: 3802-173-27 DIV**

**Pages: - 13 - (including this form)      Originals:**

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**Papers Included in this filing:**

1. Transmittal + copy (2 pages)
2. Response to Restriction Requirement (10 pages)

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PAGE 2/3 \* RCVD AT 4/27/2006 5:44:04 PM [Eastern Daylight Time] \* SVR:USPTO-EF-XRF-5/9 \* DNS:2738300 \* CSID:415 836 2501 \* DURATION (mm:ss):04:36

PTO/SB/21 (08-04)

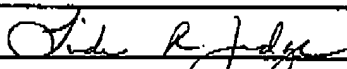
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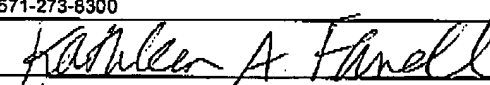
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/602,853	
	Filing Date	June 24, 2003	
	First Named Inventor	Yung-Nien CHANG	
	Art Unit	1633	
	Examiner Name	Scott Long	
Total Number of Pages in This Submission	12 pages	Attorney Docket Number	3802-173-27 DIV

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	DLA Piper Rudnick Gray Cary US LLP, 153 Townsend Street, Suite 800, San Francisco, CA 94107-1957		
Signature			
Printed name	Linda R. Judge, Telephone: 415-836-2586, Facsimile: 415-836-2501		
Date	April 27, 2006	Reg. No.	42,702

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Typed or printed name	Kathleen A. Farrell	Date	April 27, 2006

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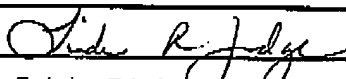
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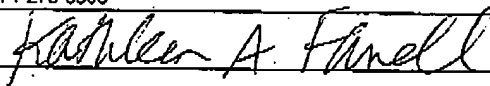
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	DLA Piper Rudnick Gray Cary US LLP, 153 Townsend Street, Suite 800, San Francisco, CA 94107-1957	
Signature		
Printed name	Linda R. Judge, Telephone: 415-836-2588, Facsimile: 415-836-2501	
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DOCKET NO. 3802-173-27 DIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Yung-Nien CHANG, et al. Art Unit: 1633

SERIAL NO.: 10/602,853 Examiner: Scott Long

FILING DATE: June 24, 2003

FOR: VECTORS FOR TISSUE-SPECIFIC REPLICATION AND  
GENE EXPRESSION

**RESPONSE TO RESTRICTION REQUIREMENT**

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Restriction/Election of Species Requirement dated March 28, 2006,

Applicants elect:

A: a viral enhancer as the tissue specific enhancer (recited in Claims 41 and 55);

B: an alpha-fetoprotein promoter as the tissue specific promoter (recited in Claims 40, 54, 67, 76, 85 and 92);

C: E1a as the transcription factor (recited in Claims 38-96); and

D: thymidine kinase as the coding sequences (recited in Claims 42, 50, 56, 58, 73, 82, 88, 89, 95 and 96), with traverse, for further prosecution at this time.

Remarks begin on page 9 of this paper.